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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/618,797

Confirmation No.: 8862

In re Application of:

Toshio YAMADA et al.

Group Art Unit: 1764

Filed: July 18, 2000

Examiner: Alexa A. Doroshenk

For: CANNING STRUCTURE AND
MANUFACTURING METHOD THEREOF

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PLEASE ACCEPT THIS AS
AUTHORIZATION TO DEBIT
OR CREDIT FEES TO
DEP. ACCT. 16-0331
PARKHURST & WENDEL

Sir:

In response to the Office Action mailed June 25, 2004, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-11) in this application.

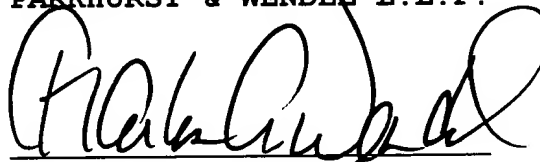
However, applicants respectfully traverse the restriction requirement since the subject matter of all of claims 1-13 is sufficiently related that a thorough and complete search for the subject matter of the elected claims should encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that the search and

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examination of the entire application could be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the U.S. Patent and Trademark Office.

Respectfully submitted,

PARKHURST & WENDEL L.L.P.



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July 14, 2004
Date

CAW/mhs

Attorney Docket No.: WATK:197

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